

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES

v.

CASSANDRA ANN BEATTY  
and TERRENCE DAVIS

Defendants.

M.B.D. No.

04-10013 RBS

JOINT MOTION TO EXCLUDE TIME  
FROM SPEEDY TRIAL ACT COMPUTATIONS

The parties, by their undersigned counsel, hereby move that, pursuant to 18 U.S.C. §§ 3161(b) and 3161(h), the Court exclude from all Speedy Trial Act calculations (including any calculations made pursuant to 18 U.S.C. § 3161(b)) the period beginning February 27, 2004 and extending for approximately 30 days thereafter (to and including March 26, 2004). As grounds therefor, the parties state as follows:

1. The defendants were arrested on December 2, 2002, after arriving at Logan Airport from Jamaica. On December 3, 2003, they were charged by criminal complaint with importation of cocaine, which they allegedly ingested. The defendants waived a detention hearing without prejudice and are currently in custody.

2. This Court has previously issued Orders allowing the parties' motions to exclude from all Speedy Trial Act calculations the period of time through February 27, 2004.

3. The parties request a final extension of time and believe that the ends of justice served by the delay outweigh the

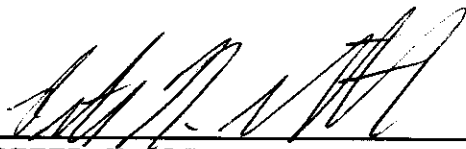
interest of the public and the defendants in a speedy trial.

Based on the foregoing, the parties jointly move that the time between February 27, 2004 to and including March 26, 2004, be excluded from all Speedy Trial calculations.

Respectfully submitted,

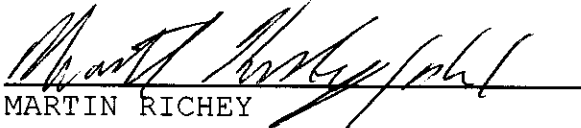
MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

By:

  
PETER K. LEVITT  
Assistant U.S. Attorney  
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(617) 748-3355

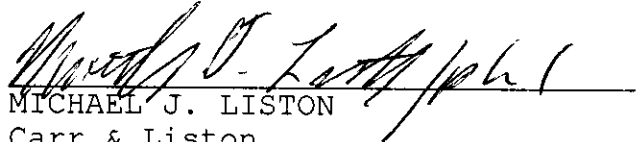
CASSANDRA BEATTY

By her attorney,

  
MARTIN RICHEY  
Federal Public Defender  
640 Atlantic Avenue  
Boston, MA  
(617) 223-8061

TERRENCE DAVIS

By his attorney,

A handwritten signature in dark ink, appearing to read "Michael J. Liston", is written over a horizontal line.

MICHAEL J. LISTON  
Carr & Liston  
294 Washington Street  
Boston, MA  
(617) 482-6355

Dated: February 25, 2004



6. By reason of the taxpayer's neglect and failure to pay such tax within 10 days after notice and demand, a levy may be made on all property and rights to property belonging to the taxpayer or to which the federal tax lien attaches. A notice of intention to levy was provided to the taxpayer as required by IRC 6331(d).


7. The taxpayer is a corporation engaged in a transportation of human remains business at 1654 Washington Street, Boston, MA 02118. The premises are rented by the taxpayer.

The assets to be seized include a hearse automobile used in a transportation of human remains business. I personally observed this asset on the premises on December 16, 2003. I know that the taxpayer has an interest in the asset because Arthur Hasiotis, President of the corporation stated this to me.

On December 10, 2003, I requested that Arthur Hasitois, President of the corporation, consent to the revenue officer's entry to the premises for the purpose of levying on the assets pursuant to Section 6331 of the Internal Revenue Code. Such consent was refused.

  
REVENUE OFFICER

Subscribed and sworn to before me this 24<sup>th</sup> day of February, 2004

  
UNITED STATES MAGISTRATE JUDGE  
FOR THE DISTRICT OF MASSACHUSETTS  
